UNITED STATES PATENT AND TRADEMARK OFFICE

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EXAMINER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	09/748,359	LENCKI ET AL.
	Examiner	Art Unit	
	Rachel L. Porter	3626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>09 August 2007</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4,6-12,14-31,33-48,50,51,70-79,81,82 and 106* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4, 6-12, 14-31,33-48, 50-51,70-79, 81-82, and 106* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some *   c)☐ None of:

       1.☐ Certified copies of the priority documents have been received.

       2.☐ Certified copies of the priority documents have been received in Application No. _____.

       3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

U.S. Patent and Trademark Office

PTOL-326 (Rev. 08-06)   Office Action Summary   Part of Paper No./Mail Date 20071001

DETAILED ACTION

Notice to Applicant

1.   This communication is in response to the amendment filed 8/9/07. Claims 1-4, 6-

12, 14-31,33-48, 50-51,70-79, 81-82, and 106 are currently pending.

Continued Examination Under 37 CFR 1.114

2.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/9/07

has been entered.

Priority

3.   The later-filed application must be an application for a patent for an invention

which is also disclosed in the prior application (the parent or original nonprovisional

application or provisional application). The disclosure of the invention in the parent

application and in the later-filed application must be sufficient to comply with the

requirements of the first paragraph of 35 U.S.C. 112. See *Transco Products, Inc. v.*

Performance Contracting, Inc., 38 F.3d 551, 32 USPQ2d 1077 (Fed. Cir. 1994).

        The disclosures of the prior-filed applications, Application No. 60/205,388, (filed

05/18/2000) and 60/174,056 (filed 12/30/99) fail to provide adequate support or

enablement in the manner provided by the first paragraph of 35 U.S.C. 112 for one or more claims of this application.

In particular, the provisional applications fail to describe or discuss the term "line item(s)," as currently recited in the independent claims. This term was not used except in the original claim language of the non-provisional application, filed 12/26/2006. In an amendment filed 8/4/2005, Applicant introduced the definition of the term "line item" as currently recited in independent claims 1, 21, 40, 70, and 106 as including at least the following pair of values: "(i) an out-of-pocket cost parameter that corresponds to out-of-pocket costs paid by the employee for use of coverage provided under the benefit category and (ii) a corresponding benefit cost to the employee for purchasing the coverage under the benefit category." The newly amended claim language also required the simultaneous display of a plurality of different line items associated with a benefit category on a user on a user interface.

The Examiner is unable to find support in the priority documents which support the applicant's amended feature and narrow interpretation/definitions of the term "line item," or the simultaneous display of the recited information.

Therefore, these features will be given the filing date of 12/26/2000 as a priority date.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 1-4, 6-12,15-17,20-31,34-36,39-48,51,70-79 and 82 rejected under 35

U.S.C. 103(a) as being unpatentable over Wizig (USPN 6,735,569) in view of

Schoenbaum et al.

[claim 1] Wizig discloses a method of providing benefits to an employee comprising:

-     receiving an insurance coverage package selection from the employee wherein

      the insurance coverage package corresponds to a benefit type and automatically

      includes coverage under a plurality of benefit categories associated with the

      benefit type (e.g. insurance—benefit type); (Figure 55; col. 14, lines 38-64)

-     for each of the plurality of benefit categories automatically included in the

      package receiving via the user interface a purchase selection from the employee

      corresponding to one of the plurality of different line items associated with the

      benefit category; and (Fig. 30, 33; col. 14, lines 38-64; Figure 55)

-     providing the insurance coverage package corresponding to the benefit type and

      including the plurality of benefit categories to the employee in accordance with

      the purchase selections made by the employee (Col. 16, lines 47-col. 17, line

      39)

Wizig discloses a method for customizing insurance coverage, as explained, but does

not expressly disclose the financial parameter included in a "line item".

Schoenbaum discloses a method wherein:

- for each of the plurality of benefit categories automatically included in the

  package, simultaneously displaying a plurality of different line items associated

  with the benefit category to the employee on a user interface accessible through

  a computer network wherein each of the different line items displayed on the

  interface includes (i) an out-of-pocket cost parameter that corresponds to out-of-

  pocket costs paid by the employee for use of coverage provided under the

  benefit category and (ii) a corresponding benefit cost to the employee for

  purchasing the coverage under the benefit category and wherein the benefit cost

  presented to the employee for at least one of the different line items associated

  with the benefit category is non-zero; (Figure 16-17, 22)

At the time of the Applicant's invention, it would have been obvious to one of

ordinary skill in the art to modify the method of Wizig with the teaching of

Schoenbaum to provide user's with information on out-of-pocket costs as they are

selecting a personalized healthcare plan.   As suggested by Schoenbaum, one

would have been motivated to include this feature to help the user seek optimal tax

benefits, while finding the most appropriate plan for there needs. (par. 7-8)

[claim 2] Wizig teaches a method wherein at least one of the different line items displayed on the interface includes a predefined employer contribution to said employee for purchase of said at least one of said line items.   (col. 12, lines 24-29; Figure 30, 53)

[claims 3-4] Wizig teaches a method wherein said plurality of benefit categories comprises insurance (e.g. health insurance) benefits. (col. 12, lines 24-29, Figure 33)

[claims 6-7] Wizig teaches a method wherein said benefit costs to the employee for purchasing the coverage under the benefit category are established based on prior cost data or actuarial data. (col. 9, lines 50-67; col. 16, lines 47-col. 17, line 23; col. 20, lines 54-col. 21, line 50)

[claim 8]   Wizig teaches a method further comprising: identifying a plurality of options for purchase by said employee within said line items. (Fig. 33)

[claim 9]   Wizig teaches a method wherein said options comprise cost sharing options. (col. 8, lines 59-col. 9, line 19; Figure 33: sponsoring and co-payment)

[claim 10]   Wizig teaches a method wherein said options comprise place of service options. (Figure 28: e.g. distance in miles/time from providers)

[claim 11]   Wizig teaches a method wherein said options comprise benefit provider network options. (col. 13, lines 30-51; col. 15, lines 43-57)

[claim 12]   Wizig teaches a method according to claim 8, said method further comprising: identifying a plurality of sub-options for purchase by said employee within said options. (Figures 30-31,55; col. 14, lines 38-64)

[claim 15] Wizig teaches a method wherein said computer network is a global computer network and wherein said user interface is provided at a web site on said network. (col. 6, lines 1-24)

[claim 16] Wizig teaches a method further comprising: identifying factors on said user interface for said employee to consider in connection with the purchase of one or more of said line items. (Figures 26-29)

[claim 17] Wizig teaches a method according to claim 13, said method further comprising:

- querying said employee through said user interface for personal information related to said employee (Figure 20; Figure 28 e.g. preferences); and

- explaining the need for said personal information on said user interface. (Figure 28—explains how preference information is used)

[claim 20]   Wizig teaches a method further comprising:

- creating data comprising personal information related to said employee and representing each said line item purchased by said employee; and (col. 10, lines 66-col. 11, line 8, lines 14-31; Figures 4A-4D, col. 13, lines 18-col. 14, line 25)

- transmitting said data to a customer service vendor configured to automatically build

  a customer benefit summary for said employee based on said data. (Figure 33, 55;

  col. 14, lines 38-64—e.g. Express Buy)

[claim 21] Wizig discloses a method of providing healthcare to an employee

comprising:

- receiving an insurance coverage package selection from the employee wherein

  the insurance coverage package corresponds to a benefit type and automatically

  includes coverage under a plurality of benefit categories associated with the

  benefit type (e.g. insurance—benefit type); (Figure 55; col. 14, lines 38-64)

- for each of the plurality of benefit categories automatically included in the

  package, receiving via the user interface a purchase selection from the employee

  corresponding to one of the plurality of different line items associated with the

  benefit category; and (Fig. 30, 33; col. 14, lines 38-64; Figure 55)

- providing the insurance coverage package corresponding to the benefit type and

  including the plurality of benefit categories to the employee in accordance with

  the purchase selections made by the employee (Col. 16, lines 47-col. 17, line

  39)

Wizig discloses a method for customizing insurance coverage, as explained, but does

not expressly disclose the financial parameter included in a "line item".

Schoenbaum discloses a method wherein:

- for each of the plurality of benefit categories automatically included in the package, simultaneously displaying a plurality of different line items associated with the benefit category to the employee on a user interface accessible through a computer network wherein each of the different line items displayed on the interface includes (i) an out-of-pocket cost parameter that corresponds to out-of-pocket costs paid by the employee for use of coverage provided under the benefit category and (ii) a corresponding benefit cost to the employee for purchasing the coverage under the benefit category and wherein the benefit cost presented to the employee for at least one of the different line items associated with the benefit category is non-zero; (Figure 16-17, 22)

At the time of the Applicant's invention, it would have been obvious to one of ordinary skill in the art to modify the method of Wizig with the teaching of Schoenbaum to provide user's with information on out-of-pocket costs as they are selecting a personalized healthcare plan.   As suggested by Schoenbaum, one would have been motivated to include this feature to help the user seek optimal tax benefits, while finding the most appropriate plan for there needs. (par. 7-8)

[claim 22] Wizig discloses a method wherein at least one of the different line items displayed on the interface includes a predefined employer contribution to said employee for purchase of said at least one of said line items. (col. 12, lines 24-29; Figure 30, 53)

[claim 23] Wizig teaches a method, wherein said employee's employer provides said predefined contribution. (col. 12, lines 24-29; Figure 24)

[claim 24] Wizig teaches a method wherein said plurality of line items comprises line items selected from the group consisting of: preventative care, physician care, hospital care, emergency care, pharmacy care, alternative care, vision care, and behavioral health care services. (Figures 27, 30, 37-38; col. 13, lines 42-57: e.g. Services provided by specific healthcare providers and/or by general benefits plan.)

[claims 25-26] Wizig teaches a method wherein said wherein said benefit costs to the employee for purchasing the coverage under the benefit category are established based on prior cost data or actuarial data. (col. 9, lines 50-67; col. 16, lines 47-col. 17, line 23; col. 20, lines 54-col. 21, line 50)

[claim 27] Wizig teaches a method further comprising: identifying a plurality of options for purchase by said employee within said line items. (Fig. 33)

[claim 28] Wizig teaches a method wherein said options comprise cost sharing options. (col. 8, lines 59-col. 9, line 19; Figure 33: sponsoring and co-payment)

[claim 29]   Wizig teaches a method according to claim 27, wherein said options comprise place of service options. (Figure 28: e.g. distance in miles/time from providers)

[claim 30]   Wizig teaches a method wherein options comprise benefit provider network options. (col. 13, lines 30-51; col. 15, lines 43-57)

[claim 31]   Wizig teaches a method further comprising: identifying a plurality of sub-options for purchase by said employee within said options. (Figures 30-31,55; col. 14, lines 38-64)

[claim 34] Wizig teaches method wherein said computer network is a global computer network and wherein said user interface is provided at a web site on said network. (col. 6, lines 1-24)

[claim 35]   Wizig teaches a method further comprising: identifying factors on said user interface for said employee to consider in connection with the purchase of one or more of said line items. (Figures 26-29)

[claim 36]   Wizig teaches a method further comprising: querying said employee through said user interface for personal information related to said employee Figure 20; Figure 28 e.g. preferences); and explaining the need for said personal information on said user interface. (Figure 28—explains how preference information is used)

[claim 39]   Wizig teaches a method further comprising:

- storing data comprising personal information related to said employee and representing each said line item purchased by said employee; and (col. 10, lines 66-col. 11, line 8, lines 14-31; Figures 4A-4D, col. 13, lines 18-col. 14, line 25)

- transmitting said data to a customer service vendor configured to automatically build a customer benefit summary for said employee based on said data. (Figure 33, 55; col. 14, lines 38-64—e.g. Express Buy)

[claim 40]   Wizig teaches a method of establishing a health care benefits offering to an employee group comprising:

- establishing a healthcare cost for said group; (Figures 4A-D, 32, col. 16, lines 19-47, e.g. family plans) and

- establishing a plurality of health care line different items based on said cost. (Figures 31-32, col. 16, lines 19-47)

- said method further comprising:

  - receiving an insurance coverage package selection from an employee in the group wherein the insurance coverage package corresponds to a benefit type and automatically includes coverage under a plurality of benefit categories associated with the benefit type (e.g. insurance—benefit type); (Figures 25, 37-38; 55; col. 14, lines 38-64)

  - for each of the plurality of benefit categories automatically included in the package, receiving via the user interface a purchase selection from the employee corresponding to one of the plurality of different line items associated with the benefit category; and (Fig. 30, 33; col. 14, lines 38-64; Figure 55)

  - providing the insurance coverage package corresponding to the benefit type and including the plurality of benefit categories to the employee in accordance with the purchase selections made by the employee (Col. 16, lines 47-col. 17, line 39)

Wizig discloses a method for customizing insurance coverage, as explained, but does not expressly disclose the financial parameter included in a "line item".

Schoenbaum discloses a method wherein:

- for each of the plurality of benefit categories automatically included in the

package, simultaneously displaying a plurality of different line items associated

with the benefit category to the employee on a user interface accessible through

a computer network wherein each of the different line items displayed on the

interface includes (i) an out-of-pocket cost parameter that corresponds to out-of-

pocket costs paid by the employee for use of coverage provided under the

benefit category and (ii) a corresponding benefit cost to the employee for

purchasing the coverage under the benefit category and wherein the benefit cost

presented to the employee for at least one of the different line items associated

with the benefit category is non-zero; (Figure 16-17, 22)

At the time of the Applicant's invention, it would have been obvious to one of ordinary

skill in the art to modify the method of Wizig with the teaching of Schoenbaum to

provide user's with information on out-of-pocket costs as they are selecting a

personalized healthcare plan.   As suggested by Schoenbaum, one would have been

motivated to include this feature to help the user seek optimal tax benefits, while finding

the most appropriate plan for there needs. (par. 7-8)

[claim 41] Wizig teaches a method wherein said plurality of line items comprises line

items selected from the group consisting of: preventative care, physician care, hospital

care, emergency care, pharmacy care, alternative care, vision care, and behavioral

health care services. Figures 27, 30, 37-38; col. 13, lines 42-57: e.g. Services provided

by specific healthcare providers and/or by general benefits plan.)

[claims 42-43] Wizig teaches a method wherein healthcare costs are established based

on prior cost data or actuarial data. (col. 9, lines 50-67; col. 16, lines 47-col. 17, line 23;

col. 20, lines 54-col. 21, line 50)

[claim 44] Wizig teaches a method further comprising: establishing a plurality of options

within at least one of said line items. (Fig. 33)

[claim 45] Wizig teaches a method wherein said options comprise cost sharing options.

(col. 8, lines 59-col. 9, line 19; Figure 33: sponsoring and co-payment)

[claim 46] Wizig teaches a method wherein said options comprise place of service

options. (Figure 28: e.g. distance in miles/time from providers)

[claim 47]   Wizig teaches a method wherein said options comprise benefit provider

network options. (col. 13, lines 30-51; col. 15, lines 43-57)

[claim 48]   Wizig teaches method further comprising: establishing a plurality of sub-

options within at least one of said options. (Figures 30-31,55; col. 14, lines 38-64)

[claim 51]   Wizig teaches a method wherein said computer network is a global

computer network and wherein said user interface is provided at a web site on said

network. (col. 6, lines 1-24)

[claim 70]   Wizig teaches a system for providing benefits to an employee comprising:

- at least one database; (col. 7, line 47-56; Figures 1- 2)

- at least one processor for accessing said database; (Figs. 1-2; col. 6, line 62-col. 7, line 46) and

- a user-interface accessible through a computer network (col. 6, lines 15-24) for accessing said processor (Figures 1-2; 30-31; col. 6, lines 4-34)

- wherein the at least one processor receives an insurance coverage package selection from the employee wherein the insurance coverage package corresponds to a benefit type and automatically includes coverage under a plurality of benefit categories associated with the benefit type (e.g. insurance—benefit type); (Figure 55; col. 14, lines 38-64)

- wherein for each of the plurality of benefit categories automatically included in the package, the at least one processor receives via the user interface a purchase selection from the employee corresponding to one of the plurality of different line items associated with the benefit category; and (Fig. 30, 33; col. 14, lines 38-64; Figure 55)

- wherein the at least one processor is used for providing the insurance coverage package corresponding to the benefit type and including the plurality of benefit categories to the employee in accordance with the purchase selections made by the employee (Col. 16, lines 47-col. 17, line 39)

Wizig discloses a system for customizing insurance coverage, as explained, but does not expressly disclose the financial parameter included in a "line item".

Schoenbaum discloses a method wherein:

- for each of the plurality of benefit categories automatically included in the

   package, simultaneously displaying a plurality of different line items associated

   with the benefit category to the employee on a user interface accessible through

   a computer network wherein each of the different line items displayed on the

   interface includes (i) an out-of-pocket cost parameter that corresponds to out-of-

   pocket costs paid by the employee for use of coverage provided under the

   benefit category and (ii) a corresponding benefit cost to the employee for

   purchasing the coverage under the benefit category and wherein the benefit cost

   presented to the employee for at least one of the different line items associated

   with the benefit category is non-zero; (Figure 16-17, 22)

At the time of the Applicant's invention, it would have been obvious to one of ordinary

skill in the art to modify the system of Wizig with the teaching of Schoenbaum to provide

user's with information on out-of-pocket costs as they are selecting a personalized

healthcare plan.   As suggested by Schoenbaum, one would have been motivated to

include this feature to help the user seek optimal tax benefits, while finding the most

appropriate plan for there needs. (par. 7-8)

[claim 71]   Wizig teaches a system wherein said at least one database further

comprises data representing a predefined employer contribution to said employee for

purchase of at least one of said line items. (Figure 2, 15--col. 12, lines 16-28—sponsor

contribution amount is stored (i.e. sponsor individual database))

[claims 72-73]   Wizig teaches a system wherein at least one said benefit

categories comprises insurance and wherein the insurance benefits comprise health

insurance benefits. (col. 12, lines 24-29, Figure 33)

[claim 74]   Wizig teaches a system wherein said plurality of line items comprises line

items selected from the group consisting of: preventative care, physician care, hospital

care, emergency care, pharmacy care, alternative care, vision care, and behavioral

health care services. (Figures 27, 30, 37-38; col. 13, lines 42-57: e.g. Services provided

by specific healthcare providers and/or by general benefits plan.)

[claim 75]   Wizig teaches a system wherein said database further comprises data

representing a plurality of options for purchase by said employee within said line items.

(Fig. 33)

[claim 76]   Wizig teaches a system wherein said options comprise cost sharing

options. (col. 8, lines 59-col. 9, line 19; Figure 33: sponsoring and co-payment)

[claim 77]   Wizig teaches a system wherein said options comprise place of service

options. (Figure 28: e.g. distance in miles/time from providers)

[claim 78]   Wizig teaches a system wherein said options comprise benefit provider

network options. (col. 13, lines 30-51; col. 15, lines 43-57)

[claim 79]   Wizig teaches a system wherein said at least one database further

comprises data representing a plurality of sub-options for purchase by said employee

within said options. (Fig. 13)

[claim 82]   Wizig teaches a system wherein said computer network is a global

computer network and wherein said user interface is provided at a web site on said

network. (col. 6, lines 1-24)

6.   Claims 14,18-19,33,37-38,50,81, and 106 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Wizig (USPN 6,735,569), and Schoenbaum in view of

Spurgeon (USPN 5,890,129)

[claim 14]   Wizig teaches a method and system for providing benefits to an individual

(e.g. employee), and for providing a user interface for the selection of benefits over a

computer network (col. 6, lines 15-24, Figures 1-2), but does not expressly disclose that

the computer network is a local area network. Spurgeon discloses the use of local area

networks (LAN's) to provide/transmit insurance benefits data (Figure 1; col. 6, lines 61-

col. 7, line 7). At the time of the Applicant's invention, it would have been obvious to

one of ordinary skill in the art to modify the method/system of Wizig to include LAN's

among the types of networks used to transmit/provide benefits data. As suggested by

Spurgeon, one would have been motivated to include this feature to allow different

parties (e.g. insurers/ healthcare providers) to continue to use their existing systems,

while reaping the benefits of automatic exchange of insurance benefits information. (col.

2, lines 64-67)

[claims 18]   Wizig teaches a method further comprising storing data representing each

said line item purchased by said employee (Figures 9 and 15; col. 9, lines 6-19; col. 10,

lines 16-31—databases store information on items purchased by employee). Wizig also

teaches a method wherein profiles are created for the user, but does not expressly

disclose transmitting the stored data to a benefit claims processing vendor configured to

automatically build a benefit profile for said employee based on said data.   Spurgeon

teaches a method wherein data gathered/stored from the user on selected benefits is

transmitted to a benefit claims processing vendor (i.e. insurer or third party reviewer),

which may build a profile of the individual (i.e. store a profile of the insured in a

database). (Spurgeon: col. 4, lines 7-18;col. 6, lines 16-43). At the time of the

Applicant's invention, it would have been obvious to one of ordinary skill in the art to

modify the system/method of Wizig with the teaching of Spurgeon to provide user

information to a benefit claims processor vendor (i.e. insurer/third party reviewer), which

may provide a profile of the user. As suggested by Spurgeon, one would have been

motivated to include this feature to increase the speed with which claims may be

processed and paid (col. 4, lines 43-46) and to provide a mechanism for updating

providers on the status of a patient/subscriber (i.e. the employee purchasing benefits).

(col. 8, line 54-57)

[claim 19]   Wizig and Spurgeon teach the method of providing benefits of claim 18 as

explained in the rejection of 18. However, Wizig does not disclose claims processing

and as such, does not disclose that the recited claims processing vendor is configured

to confirm eligibility for payment of benefit claims based on the user's benefit profile.

Spurgeon teaches a method and system wherein the benefit claims processing vendor

(i.e. insurer or third party reviewer) is configured to confirm eligibility for payment of benefit claims based on the user's benefit profile. (col. 4, lines 7-18; col. 10, line 45-col. 11, line 10). At the time of the Applicant's invention, it would have been obvious to one of ordinary skill in the art to modify the system/method of Wizig with the teaching of Spurgeon to have the claims processing vendor confirm status (i.e. eligibility) of the subscriber based upon the stored user information. As suggested by Spurgeon, one would have been motivated to include this feature to increase the speed with which claims may be processed and paid (col. 4, lines 43-46).

[claim 33] Wizig teaches a method and system for providing benefits to an individual (e.g. employee), and for providing a user interface for the selection of benefits over a computer network (col. 6, lines 15-24, Figures 1-2), but does not expressly disclose that the computer network is a local area network. Spurgeon discloses the use of local area networks (LAN's) to provide/transmit insurance benefits data (Figure 1; col. 6, lines 61-col. 7, line 7). At the time of the Applicant's invention, it would have been obvious to one of ordinary skill in the art to modify the method/system of Wizig to include LAN's among the types of networks used to transmit/provide benefits data. As suggested by Spurgeon, one would have been motivated to include this feature to allow different parties (e.g. insurers/ healthcare providers) to continue to use their existing systems, while reaping the benefits of automatic exchange of insurance benefits information. (col. 2, lines 64-67)

[claim 37]   The limitations of claim 37 are addressed by the rejections of claims 18

and 21, and incorporated herein.

[claim 38]   The limitations of claim 38 are addressed by the rejections of claims 19

and 37, and incorporated herein.

[claim 50]   Wizig teaches a method and system for providing benefits to an individual

(e.g. employee), and for providing a user interface for the selection of benefits over a

computer network (col. 6, lines 15-24, Figures 1-2), but does not expressly disclose that

the computer network is a local area network. Spurgeon discloses the use of local area

networks (LAN's) to provide/transmit insurance benefits data (Figure 1; col. 6, lines 61-

col. 7, line 7). At the time of the Applicant's invention, it would have been obvious to

one of ordinary skill in the art to modify the method/system of Wizig to include LAN's

among the types of networks used to transmit/provide benefits data. As suggested by

Spurgeon, one would have been motivated to include this feature to allow different

parties (e.g. insurers/ healthcare providers) to continue to use their existing systems,

while reaping the benefits of automatic exchange of insurance benefits information. (col.

2, lines 64-67)

[claim 81] Wizig teaches a method and system for providing benefits to an individual

(e.g. employee), and for providing a user interface for the selection of benefits over a

computer network (col. 6, lines 15-24, Figures 1-2), but does not expressly disclose that

the computer network is a local area network. Spurgeon discloses the use of local area

networks (LAN's) to provide/transmit insurance benefits data (Figure 1; col. 6, lines 61-

col. 7, line 7). At the time of the Applicant's invention, it would have been obvious to

one of ordinary skill in the art to modify the method/system of Wizig to include LAN's

among the types of networks used to transmit/provide benefits data. As suggested by

Spurgeon, one would have been motivated to include this feature to allow different

parties (e.g. insurers/ healthcare providers) to continue to use their existing systems,

while reaping the benefits of automatic exchange of insurance benefits information. (col.

2, lines 64-67)

[claim 106]   Wizig teaches a method of providing benefits to an employee comprising:

-   receiving an insurance coverage package selection from the employee wherein the

    insurance coverage package corresponds to a benefit type and automatically

    includes coverage under a plurality of benefit categories associated with the benefit

    type (e.g. insurance—benefit type); (Figure 55; col. 14, lines 38-64)

-   identifying a predefined employer contribution to said employee on said user

    interface for purchase of at least one of said line items. (col. 12, lines 24-29; Figure

    24)

-   for each of the plurality of benefit categories automatically included in the package

    receiving via the user interface a purchase selection from the employee

    corresponding to one of the plurality of different line items associated with the benefit

    category; and (Fig. 30, 33; col. 14, lines 38-64; Figure 55)

- storing data representing each said line item purchased by said individual (Figures 9

   and 15; col. 9, lines 6-19; col. 10, lines 16-31—databases store information on items

   purchased by employee)

- providing the insurance coverage package corresponding to the benefit type and

   including the plurality of benefit categories to the employee in accordance with the

   purchase selections made by the employee (Col. 16, lines 47-col. 17, line 39)

Wizig discloses a method for customizing insurance coverage, as explained, but does

not expressly disclose the financial parameter included in a "line item".

Schoenbaum discloses a method wherein:

- for each of the plurality of benefit categories automatically included in the

   package, simultaneously displaying a plurality of different line items associated

   with the benefit category to the employee on a user interface accessible through

   a computer network wherein each of the different line items displayed on the

   interface includes (i) an out-of-pocket cost parameter that corresponds to out-of-

   pocket costs paid by the employee for use of coverage provided under the

   benefit category and (ii) a corresponding benefit cost to the employee for

   purchasing the coverage under the benefit category and wherein the benefit cost

   presented to the employee for at least one of the different line items associated

   with the benefit category is non-zero; (Figure 16-17, 22)

   At the time of the Applicant's invention, it would have been obvious to one of

ordinary skill in the art to modify the method of Wizig with the teaching of Schoenbaum

to provide user's with information on out-of-pocket costs as they are selecting a

personalized healthcare plan.   As suggested by Schoenbaum, one would have been

motivated to include this feature to help the user seek optimal tax benefits, while finding

the most appropriate plan for there needs. (par. 7-8)

Wizig also teaches a method wherein profiles are created for the user, but does not

expressly disclose transmitting the stored data to a benefit claims processing vendor

configured to automatically build a benefit profile for said employee based on said data.

Spurgeon teaches a method wherein data gathered/stored from the user on selected

benefits is transmitted to a benefit claims processing vendor (i.e. insurer or third party

reviewer), which may build a profile of the individual (i.e. store a profile of the insured in

a database). (Spurgeon: col. 4, lines 7-18;col. 6, lines 16-43). At the time of the

Applicant's invention, it would have been obvious to one of ordinary skill in the art to

modify the system/method of Wizig with the teaching of Spurgeon to provide user

information to a benefit claims processor vendor (i.e. insurer/third party reviewer), which

may provide a profile of the user. As suggested by Spurgeon, one would have been

motivated to include this feature to increase the speed with which claims may be

processed and paid (col. 4, lines 43-46) and to provide a mechanism for updating

providers on the status of a patient/subscriber (i.e. the employee purchasing benefits).

(col. 8, line 54-57)

Response to Arguments

7.   Applicant's arguments with respect to the pending claims have been considered

but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rachel L. Porter whose telephone number is (571) 272-6775. The examiner can normally be reached on M-F, 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached on (571) 272-6776. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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